

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE WORLD TRADE CENTER
DISASTER SITE LITIGATION

HECTOR MARTINEZ, *et al.*,

Plaintiffs,

-against-

THE CITY OF NEW YORK, *et al.*,

Defendants.

**STIPULATED ORDER OF DISMISSAL
WITH PREJUDICE PURSUANT TO
FINAL SETTLEMENT AGREEMENT**

21 MC 100 (AKH)

THIS STIPULATED ORDER PERTAINS TO
ALL PLAINTIFFS AND DOCKET
NUMBERS SET FORTH ON EXHIBIT A

IT IS HEREBY STIPULATED AND AGREED by and between certain Plaintiffs represented by Worby Groner Edelman & Napoli Bern, LLP, identified on Exhibit A hereto ("Plaintiffs"), and the Defendants identified on Exhibit B ("Settling Defendants") that:

1. Plaintiffs and Settling Defendants have entered into a settlement agreement resolving all claims by Plaintiffs against Settling Defendants in the above-captioned action.

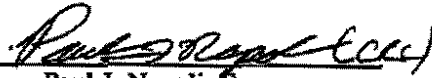
2. Plaintiffs have executed releases and covenants not to sue in which Plaintiffs have released the Settling Defendants and each of them from any and all obligations and liability to Plaintiffs for past, present, and future injuries arising out of or relating in any way to World Trade Center-related rescue, recovery and/or debris-removal operations and/or clean-up at any location on and/or after September 11, 2001. Accordingly, Plaintiffs' claims against the Settling Defendants and each of them shall be dismissed, and hereby are dismissed, with prejudice;


3. The Primary Plaintiffs identified on Exhibit A also have executed before a notary public documents evidencing their understanding that they are foreclosed from suing the Settling Defendants or any of them in the future for currently unknown, future injuries arising out of or

relating in any way to World Trade Center-related rescue, recovery and/or debris-removal operations and/or clean-up at any location on and/or after September 11, 2001, regardless of whether such currently unknown, future injuries arise out of or relate in any way to the injury(ies) each Primary Plaintiff has pleaded in this action. Such understanding shall be, and hereby is, judicially noticed.

WORBY GRONER EDELMAN &
NAPOLI BERN, LLP

PATTON BOGGS LLP

By: 
Paul J. Napoli, Esq.
Attorneys for Plaintiffs
350 5th Avenue, Suite 7413
New York, NY 10118

By: 
James E. Tyrrell, Jr., Esq.
Attorneys for all Defendants
The Legal Center
One Riverfront Plaza, Suite 600
Newark, NJ 07102

Dated: October 24, 2011

Dated: October 24, 2011

SO ORDERED, this 26 day of October, 2011,


ALVIN K. HELLERSTEIN
United States District Judge

Exhibit A – List of Plaintiffs

No.	Primary Plaintiff		Derivative Plaintiff		Civil Action No.	Master Docket
	Last Name	First Name	Last Name	First Name		
1	Martinez	Hector			06cv09126	21MC100
2	Valerio	Joseph	Valerio	Patti	06cv10893	21MC100

Exhibit B – List of Settling Defendants

CITY OF NEW YORK, including the:	CRAIG TEST BORING
BOARD OF EDUCATION OF THE	CRITICOM INTERNATIONAL CORP
CITY OF NEW YORK	DAKOTA DEMO-TECH
BOROUGH OF MANHATTAN	DESIMONE CONSULTING ENGINEERS,
COMMUNITY COLLEGE	PLLC
CITY UNIVERSITY OF NEW YORK	DCM ERECTORS, INC.
NEW YORK CITY DEPARTMENT OF	DIAMOND POINT EXCAVATION CORP
EDUCATION	DIEGO CONSTRUCTION
NEW YORK CITY SCHOOL	DIVERSIFIED CARTING
CONSTRUCTION AUTHORITY	DMT ENTERPRISE
A RUSSO WRECKING	D'ONOFRIO GENERAL CONTRACTORS
ACROW	CORP.
ALLCOM ELECTRIC	EAGLE LEASING & INDUSTRIAL SUPPLY
AMEC CONSTRUCTION MANAGEMENT,	(SEASONS)
INC.	EAGLE ONE ROOFING CONTRACTORS,
AMEC EARTH AND ENVIRONMENTAL	INC.
ANTHONY CORTESE SPECIALIZED	EAGLE SCAFFOLDING CO. (SEASONS)
HAULING LLC	EJ DAVIES, INC.
ASG PEST CONTROL	EN-TECH CORP.
ATC GROUP SERV/DBA ATC	ENTERTAINMENT PARTNERS
ASSOCIATES	ET ENVIRONMENTAL
ATLANTIC HEYDT CORP.	EVERGREEN RECYCLING OF CORONA
ATLAS CONCRETE	(EROC)
AVANTI DEMOLITION & CARTING CORP.	EWELL W. FINLEY, P.C.
BECHTEL CONSTRUCTION, INC.	EXECUTIVE MED SERVICES, PC
BERGEN CONCRETE CUTTING	F&G MECHANICAL CORPORATION
BERKEL & CO. CONTRACTORS, INC.	FELIX EQUITIES, INC.
BIG APPLE WRECKING &	FLEET TRUCKING
CONSTRUCTION	FRANCIS A. LEE EXTERIOR
BOVIS LEND LEASE LMB, INC.	RESTORATION
BREEZE CARTING	FRANK MICELLI JR CONTRACTING
BREEZE NATIONAL, INC.	FTI TRUCKING
BRER FOUR TRANSPORTATION	G & G CONTRACTING, INC.
BURO HAPOLD CONSULT ENG.	GILSANZ, MURRAY, & STEFICEK
C & D FIREPROOFING	GINO CRACOLICI & SONS, INC.
C & D PAINTING, INC.	GOLDSTEIN ASSOCIATES PLLC
C.B. CONTRACTING CORP.	GRACE INDUSTRIES
CANRON CONSTRUCTION CORP.	GUY NORDENSON AND ASSOCIATES
CANTOR SEINUK GROUP	HALLEN WELDING SERVICE
CERTIFIED FENCE CORP.	HELMSMAN MANAGEMENT SERVICES,
CIVETTA COUSINS	INC.
CLARCO ENTERPRISE CORP.	HGC CONTRACTING CORP.
COMPONENT ASSEMBLY SYS	HIGH RISE HOISTING AND
COORDINATED METALS, INC.	SCAFFOLDING
CORD CONTRACTING CO., INC.	HIGH-RISE ELECTRIC, INC.

HP ENVIRONMENTAL
JP EQUIPMENT RENTAL MATERIALS, INC.
KEVIN MCMANUS
KOCH SKANSKA, INC.
LAQUILLA CONSTRUCTION, INC.
LASTRADA GENERAL CONTRACTING CORP.
LESLIE E. ROBERTSON ASSOCIATES
LIBERTY MUTUAL GROUP
LIRO
LOCKWOOD, KESSLER & BARTLETT (LKB)
LUCIUS PITKIN
LZA TECH-DIVISION OF THORTON TOMASETTI
M. G. MCLAREN, P.C.
MANAFORT BROTHERS, INC.
MAZZOCCHI WRECKING, INC.
MEDCOR, INC.
MENT BROTHERS
MERIDIAN CONSTRUCTION GROUP
MG MCLAREN P.C.
MORETRENCH AMERICAN, CORP.
MRA ENGINEERING, PC
MUESER RUTLEDGE CONSULTING ENGINEERS
MUSCO SPORTS LIGHTING, LLC
NACIREMA INDUSTRIES
NEW YORK CRANE & EQUIPMENT CORP.
NICHOLSON CONSTRUCTION CO.
NICHOLSON/HEYWOOD JOINT VENTURE
OFF ROAD WELDING, INC.
THE OFFICES OF JAMES RUDERMAN, LLP
OLYMPIC PLUMBING AND HEATING
OVE ARUP & PARTNERS
PARSON GROUP
PETER SCALAMANDRE & SONS
PINNACLE ENVIRONMENTAL
PLAZA CONSTRUCTION CORP.
PRO SAFETY SERVICES, LLC
PT & L CONTRACTING CORP.
REGIONAL SCAFFOLD & HOISTING CO, INC.
RICH MARK ENVIRONMENTAL SERVICES, INC.

ROBER SILMAN ASSOCIATES
ROBERT C STEWART
ROBERT ERRAT
ROBERT L GEROSA
RODAR ENTERPRISES, INC.
ROYAL GM, INC.
SAB TRUCKING
SAFEWAY ENVIRONMENTAL
SEMCOR EQUIPMENT
SEVERUD ASSOCIATES CONSULTING ENGINEERS
SHELDRAKE ORGANIZATION, INC.
SILVERADO CONTRACTORS
SILVERITE CONTRACTING
SIMPSON, GUMPERTZ, & HEGER
SKIDMORE, OWINGS & MERRILL LLP
STAR DELTA ELECTRIC
STIER, ANDERSON & MALONE
SUMMIT STRUCTURES LLC
TELENET COMMUNICATIONS
THYSSEN KRUPP ELEVATOR CO.
TOMASETTI GROUP
TORETTA TRUCKING
TOTAL SAFETY CONSULTING LLC
TUCCI EQUIPMENT RENTAL CORP.
TULLY CONSTRUCTION
TURNER CONSTRUCTION COMPANY
ULTIMATE DEMOLITION/CS HAULING (JOINT VENTURE)
UNITED STATES REBAR
VANGUARD EQUIPMENT RENTALS
VERTICAL TECHNOLOGIES
VOLLMER ASSOCIATES
W HARRIS & SON INC.
WALTER WHITE TRUCKING
WEEKS MARINE, INC.
WEIDLINGER ASSOCIATES
WHITNEY CONTRACTING
WOLKOW BRAKER ROOFING
YANNUZZI & SONS, INC.
YONKERS CONTRACTING
YORK HUNTER CONSTRUCTION, LLC
ZIEGENFUSS DRILLING